

SM

| | | | |
|-------------------------------|------------------------|---------------------|--|
| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/647,021 | GORUN ET AL. | |
| | Examiner | Art Unit | |
| | Carolyn T. Blake | 3724 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/14/05.
2. ☒ The allowed claim(s) is/are 1-4, 6 and 8-31.
3. ☒ The drawings filed on 21 August 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: The claims are allowable because the prior art fails to teach a cleaning apparatus with a scraper having one end mounted to a body in the channel and the other end cantilevered away from the first end as set forth in claims 1 and 25.

Regarding claims 1 and 25, Gaines discloses a cleaning apparatus mounted to a food slicing machine having a frame and a continuous loop blade (14) drivably mounted to the frame, the blade (14) having opposite/opposing first and second major surfaces and an axis, the cleaning apparatus comprising:

(a) a body (29/48) mounted to the frame, the body (29/48) having a channel through which a portion of the blade (14) extends;

(b) a first scraper (24) having a first end mounted to the body (29/48) for scraping matter from the blade (14);

(c) a second scraper (24) having a first end that is removably mounted to the body (29/48) at a point positioned laterally of the blade's axis by a fastener extending through an aperture in the first end of the second scraper (24) and into the body at a point positioned laterally of the blade's axis, the second scraper terminating in an edge at a second, opposite end seated against the second surface of the blade for scraping matter from the blade (14);

(d) a conduit mounted to the body (29/48) at an aperture in the body (29/48) that forms an inlet opening into the channel and adjacent at least one of said scrapers (24), said conduit having a passageway extending from the inlet to fluid communication with

Art Unit: 3724

a pump (26) for pumping air past the scrapers (24) and into said inlet and drawing matter scraped from the blade (14) by the scrapers (24) into the inlet; and

(e) a deflecting panel (29a) mounted to the body (29/48) adjacent the inlet and extending at least partially around the scrapers (24) for deflecting matter scraped from the blade (14) into the inlet, wherein a gap is formed between the deflect (20a) and the scrapers (24). Gaines fails to disclose a scraper having a first end mounted to the body in the channel and a second end extending in the manner of a cantilever away from the first end and terminating in an edge seated against the first surface of the blade as set forth in claims 1 and 25.

This reference by itself or in combination with the other prior art cited fails to teach the claimed invention set forth in claims 1 and 25.

Conclusions

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn T. Blake whose telephone number is (571) 272-4503. The examiner can normally be reached on Monday to Friday, 8:00 AM to 5:30 PM, alternating Fridays off.

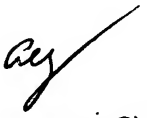
Art Unit: 3724

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on (571) 272-4514. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CB

CB
June 15, 2005


Allan N. Shoap
Supervisory Patent Examiner
Group 3700